

U.S. District Court
District of Montana (Billings)
CIVIL DOCKET FOR CASE #: 1:21-mc-00009-SPW-TJC

Subpoena of South Broward Hospital District
Assigned to: Judge Susan P. Watters
Referred to: Magistrate Judge Timothy J. Cavan
Cause: Civil Miscellaneous Case

Date Filed: 09/13/2021

In Re

**Subpoena of South Broward Hospital
District**

represented by **Dean Malik**
Devine Timoney Law Group
1777 Sentry Parkway West
Ste Veva 14, Suite 404
Blue Bell, PA 19422
610-400-1970
Email: dmalik@devinetimoney.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jordan Y. Crosby
UGRIN ALEXANDER ZADICK & HIGGINS
PO Box 1746
Great Falls, MT 59403-1746
406-771-0007
Fax: 406-452-9360
Email: jyc@uazh.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Patrick C. Timoney
Devine Timoney Law Group
1777 Sentry Parkway West
Ste Veva 14, Suite 404
Blue Bell, PA 19422
610-400-1970
Fax: 610-850-9994
Email: ptimoney@devinetimoney.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dylan McFarland
KNIGHT NICASTRO MACKAY, LLC
283 W. Front St.
Suite 203
Missoula, MT 59802
406-206-5747
Fax: 816-396-6233
Email: mcfarland@knightnicastro.com
ATTORNEY TO BE NOTICED

Tal J Lifshitz
Kozyak Tropin & Throckmorton, LLP

2525 Ponce DE Leon Blvd.
 Ste 9th Floor
 Coral Gables, FL 33134
 305-728-2959
 Email: tj1@kttlaw.com
ATTORNEY TO BE NOTICED

In Re**EBMS**

Date Filed	#	Docket Text
09/13/2021	<u>1</u>	Judge Susan P. Watters and Magistrate Judge Timothy J. Cavan added. (AMC) (Entered: 09/14/2021)
09/13/2021	<u>1</u>	MOTION TO QUASH SUBPOENA TO PRODUCE DOCUMENTS AND INFORMATION Jordan Y. Crosby appearing for In Re Subpoena of South Broward Hospital District Motions referred to Timothy J. Cavan. (AMC) (Entered: 09/14/2021)
09/13/2021	<u>2</u>	Brief/Memorandum in Support re <u>1</u> MOTION to Quash filed by Subpoena of South Broward Hospital District. (Attachments: # <u>1</u> Exhibit A Amended Complaint, # <u>2</u> Exhibit B Subpoena, # <u>3</u> Exhibit C Affidavit) (AMC) (Entered: 09/14/2021)
09/14/2021	<u>1</u>	Filing fee PAID: \$ 49.00, receipt number MTX100018242 (AMC) (Entered: 09/14/2021)
09/17/2021	<u>3</u>	NOTICE by Subpoena of South Broward Hospital District re <u>2</u> Brief/Memorandum in Support, <u>1</u> MOTION to Quash <i>Notice of Service by EBMS</i> (Crosby, Jordan) (Entered: 09/17/2021)
09/21/2021	<u>4</u>	MOTION Patrick C. Timoney to Appear Pro Hac Vice (Filing fee \$ 262 receipt number 0977-2731861.) Jordan Y. Crosby appearing for In Re Subpoena of South Broward Hospital District Motions referred to Timothy J. Cavan. (Attachments: # <u>1</u> Exhibit Affidavit, # <u>2</u> Text of Proposed Order Prop Order) (Crosby, Jordan) (Entered: 09/21/2021)
09/21/2021	<u>5</u>	MOTION Dean H. Malik to Appear Pro Hac Vice (Filing fee \$ 262 receipt number 0977-2731877.) Jordan Y. Crosby appearing for In Re Subpoena of South Broward Hospital District Motions referred to Timothy J. Cavan. (Attachments: # <u>1</u> Exhibit Affidavit, # <u>2</u> Text of Proposed Order Proposed Order) (Crosby, Jordan) (Entered: 09/21/2021)
09/22/2021	<u>6</u>	ORDER granting motion <u>4</u> for the admission of Patrick C. Timoney to Appear Pro Hac Vice. IT IS FURTHER ORDERED that this Order is subject to withdrawal unless the Applicant Attorney, within fifteen (15) days of the date of this Order, files a pleading acknowledging admission under the terms set forth above. Signed by Magistrate Judge Timothy J. Cavan on 9/22/2021. (HEG) (Entered: 09/22/2021)
09/22/2021	<u>7</u>	ORDER granting motion <u>5</u> for the admission of Dean H. Malik to Appear Pro Hac Vice. IT IS FURTHER ORDERED that this Order is subject to withdrawal unless the Applicant Attorney, within fifteen (15) days of the date of this Order, files a pleading acknowledging admission under the terms set forth above. Signed by Magistrate Judge Timothy J. Cavan on 9/22/2021. (HEG) (Entered: 09/22/2021)
09/22/2021	<u>8</u>	Letter from Clerk of Court, Tyler P. Gilman to PHV counsel Timoney regarding the CM/ECF registration requirements. Copy of order admitting and this letter emailed to counsel. (HEG) (Entered: 09/22/2021)
09/22/2021	<u>9</u>	Letter from Clerk of Court, Tyler P. Gilman to PHV counsel Malik regarding the CM/ECF registration requirements. Copy of order admitting and this letter emailed to counsel. (HEG)

(Entered: 09/22/2021)

09/23/2021	<u>10</u>	NOTICE of Acknowledgment of Pro Hac Vice Order by Subpoena of South Broward Hospital District <i>Acknowledgment of Patrick Timoney</i> (Crosby, Jordan) (Entered: 09/23/2021)
09/23/2021	<u>11</u>	NOTICE of Acknowledgment of Pro Hac Vice Order by Subpoena of South Broward Hospital District <i>Acknowledgment of Dean Malik</i> (Crosby, Jordan) (Entered: 09/23/2021)
09/24/2021	<u>12</u>	NOTICE of Appearance by Dylan McFarland on behalf of Subpoena of South Broward Hospital District (McFarland, Dylan) (Entered: 09/24/2021)
09/24/2021	<u>13</u>	MOTION for Extension of Time to File Response/Reply as to <u>1</u> MOTION to Quash <i>Subpoena for Documents and Information</i> Dylan McFarland appearing for In Re Subpoena of South Broward Hospital District Motions referred to Timothy J. Cavan. (Attachments: # <u>1</u> Text of Proposed Order) (McFarland, Dylan) (Entered: 09/24/2021)
09/27/2021	<u>14</u>	ORDER granting <u>13</u> Motion for Extension of Time to File Response/Reply re <u>13</u> MOTION for Extension of Time to File Response/Reply as to <u>1</u> MOTION to Quash <i>Subpoena for Documents and Information</i> , <u>1</u> MOTION to Quash Responses due by 10/20/2021. Signed by Magistrate Judge Timothy J. Cavan on 9/27/2021. (JDH) (Entered: 09/27/2021)
10/20/2021	<u>15</u>	MOTION to Transfer to Southern District of Florida Dylan McFarland appearing for In Re Subpoena of South Broward Hospital District Motions referred to Timothy J. Cavan. (McFarland, Dylan) (Entered: 10/20/2021)
10/20/2021	<u>16</u>	Brief/Memorandum in Support re <u>15</u> MOTION to Transfer to Southern District of Florida filed by Subpoena of South Broward Hospital District. (Attachments: # <u>1</u> Exhibit Exhibit Index, # <u>2</u> Exhibit A – ND III Order, # <u>3</u> Exhibit B – HIPAA – Qualified Protective Order, # <u>4</u> Exhibit C – Confidentiality Order, # <u>5</u> Exhibit D – 6.24.21 Hearing Transcript) (McFarland, Dylan) (Entered: 10/20/2021)
10/21/2021	<u>17</u>	MOTION of Tal J. Lifshitz to Appear Pro Hac Vice (Filing fee \$ 262 receipt number AMTDC–2754515.) Dylan McFarland appearing for In Re Subpoena of South Broward Hospital District Motions referred to Timothy J. Cavan. (Attachments: # <u>1</u> Affidavit Admission PHV of Tal J. Lifshitz, # <u>2</u> Text of Proposed Order) (McFarland, Dylan) (Entered: 10/21/2021)
10/22/2021	<u>18</u>	ORDER granting <u>17</u> Motion for Tal J. Lifshitz to Appear Pro Hac Vice. IT IS FURTHER ORDERED that this Order is subject to withdrawal unless the Applicant Attorney, within fifteen (15) days of the date of this Order, files a pleading acknowledging admission under the terms set forth above. Signed by Magistrate Judge Timothy J. Cavan on 10/22/2021. (HEG) (Entered: 10/22/2021)
10/26/2021	<u>19</u>	Notice of Acknowledgment of Pro Hac Vice Order. (Lifshitz, Tal) Modified on 10/26/2021 to term motion per chambers and edit docket text (HEG). Finance notified regarding refund of filing fee. (Entered: 10/26/2021)
11/01/2021	<u>20</u>	RESPONSE to Motion re <u>15</u> MOTION to Transfer to Southern District of Florida, <u>1</u> MOTION to Quash , REPLY to Response to Motion to <i>Quash and Request for Hearing</i> filed by EBMS. (Attachments: # <u>1</u> Exhibit Ex A, # <u>2</u> Exhibit Ex B) (Crosby, Jordan) (Entered: 11/01/2021)
11/15/2021	<u>21</u>	Brief/Memorandum in Support re <u>15</u> MOTION to Transfer to Southern District of Florida filed by Subpoena of South Broward Hospital District. (Lifshitz, Tal) (Entered: 11/15/2021)
12/08/2021	<u>22</u>	SOUTH BROWARD HOSPITAL DISTRICTS NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO TRANSFER MOTION TO QUASH TO THE SOUTHERN DISTRICT OF FLORIDA re <u>15</u> MOTION to Transfer to Southern District of Florida (Attachments: # <u>1</u> Exhibit A) (Lifshitz, Tal) Modified on 12/15/2021 to edit document title (JDH). (Entered: 12/08/2021)

12/28/2021	<u>23</u>	NOTICE by Subpoena of South Broward Hospital District re <u>21</u> Brief/Memorandum in Support, <u>16</u> Brief/Memorandum in Support, <i>SOUTH BROWARD HOSPITAL DISTRICTS NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO TRANSFER MOTION TO QUASH TO THE SOUTHERN DISTRICT OF FLORIDA</i> (Lifshitz, Tal) (Entered: 12/28/2021)
01/03/2022	<u>24</u>	NOTICE by EBMS <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit Ex A, # <u>2</u> Exhibit Ex B) (Crosby, Jordan) (Entered: 01/03/2022)
01/06/2022	<u>25</u>	NOTICE by Subpoena of South Broward Hospital District <i>SOUTH BROWARD HOSPITAL DISTRICTS NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO TRANSFER MOTION TO QUASH TO THE SOUTHERN DISTRICT OF FLORIDA</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Lifshitz, Tal) (Entered: 01/06/2022)
01/19/2022	<u>26</u>	NOTICE by Subpoena of South Broward Hospital District re <u>16</u> Brief/Memorandum in Support, <i>NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO TRANSFER MOTION TO QUASH TO THE SOUTHERN DISTRICT OF FLORIDA</i> (Attachments: # <u>1</u> Exhibit A) (Lifshitz, Tal) (Entered: 01/19/2022)
02/01/2022	<u>27</u>	NOTICE by Subpoena of South Broward Hospital District re <u>26</u> Notice (Other), <i>SOUTH BROWARD HOSPITAL DISTRICTS NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO TRANSFER MOTION TO QUASH TO THE SOUTHERN DISTRICT OF FLORIDA</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Lifshitz, Tal) (Entered: 02/01/2022)
02/23/2022	<u>28</u>	NOTICE by Subpoena of South Broward Hospital District re <u>15</u> MOTION to Transfer to Southern District of Florida <i>SOUTH BROWARD HOSPITAL DISTRICTS NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO TRANSFER MOTION TO QUASH TO THE SOUTHERN DISTRICT OF FLORIDA</i> (Attachments: # <u>1</u> Exhibit A) (Lifshitz, Tal) (Entered: 02/23/2022)
02/23/2022	<u>29</u>	NOTICE by Subpoena of South Broward Hospital District re <u>15</u> MOTION to Transfer to Southern District of Florida <i>SOUTH BROWARD HOSPITAL DISTRICTS NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO TRANSFER MOTION TO QUASH TO THE SOUTHERN DISTRICT OF FLORIDA</i> (Attachments: # <u>1</u> Exhibit A) (Lifshitz, Tal) (Entered: 02/23/2022)
03/14/2022	<u>30</u>	NOTICE by Subpoena of South Broward Hospital District re <u>27</u> Notice (Other), <i>NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF MOTION TO TRANSFER MOTION TO QUASH TO THE SOUTHERN DISTRICT OF FLORIDA</i> (Attachments: # <u>1</u> Exhibit A) (Lifshitz, Tal) (Entered: 03/14/2022)
04/08/2022	<u>31</u>	ORDER granting <u>15</u> Motion to Transfer; denying as moot <u>1</u> Motion to Quash. IT IS HEREBY ORDERED that Memorial's Motion to Transfer (Doc. 15) is GRANTED and EBMS' Motion to Quash (Doc. 1) is DENIED as moot. This action shall be transferred to the Southern District of Florida. Signed by Magistrate Judge Timothy J. Cavan on 4/8/2022. (JDH) (Entered: 04/08/2022)